

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

KAHALA FRANCHISE CORPORATION )	
A Delaware corporation, )	
Plaintiff, )	
)	
vs. )	Case No. 08 CV 4750
)	
NABIL MAKHAMREH, Individually, )	Judge: DOW, JR.
MATTHEW CHEESESTEAK, Inc., )	
an Illinois Corporation, and M & S )	Magistrate: Judge Brown
CHEESESTEAK, INC. , a Virginia )	
corporation. )	
Defendants. )	

**TEMPORARY RESTRAINING ORDER**

THIS CAUSE coming on to be heard pursuant to Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction, all parties having been notified and given an opportunity to be heard, and the Court having been fully advised on the premises:

This Court having reviewed Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction, and the Complaint filed herein in the above cause;

IT IS HEREBY ADJUDGED, ORDERED AND DECREED BY DEFAULT AS FOLLOWS:

1. Defendants, Nabil Makhamreh, Matthew Cheesesteak, Inc., M & S Cheesesteak, Inc., and any of their agents, servants or employees, are hereby enjoined from operating or having any direct or indirect financial interest in the substantially similar competing business known as Charley's Grilled Subs in Lombard, Illinois or elsewhere during the terms of the Franchise Agreements between KAHALA and Defendants. The competing restaurant should be immediately closed until Defendants can transfer the restaurant to a bona fide completely unrelated party.

2. This Court maintains jurisdiction for purposes of enforcement of this Temporary Injunction to enforce the Non- Compete provisions of the Franchise Agreements.

3. Defendants, and any of their agents, servants or employees, are hereby enjoined from competing with KAHALA in violation of the Franchise Agreements.

4. Defendants and their agents, servants, and employees are enjoined from conducting business on the premises in Yorktown Mall, Lombard, Illinois as a Charley's restaurant or in any manner.

5. This Temporary Restraining Order enjoining Defendants from the above described actions shall run for a period of ten (10) days beginning at \_\_\_\_ A.M., August 2008, through August \_\_\_\_\_, 2008. Hearing for extension of Temporary Restraining Order is scheduled for \_\_\_\_\_, 2007 at \_\_\_\_ A.M. in Room \_\_\_\_\_.

DATED: August 20, 2008

ENTER:

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U.S. District Judge

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8/20/08